

# OPINIONS RENDERED BY THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

*Edited by*

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Secretary to the Commission

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## **OPINION 137**

On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera

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NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions of the Commission in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the most recent of the above Opinions are now out of print, and are therefore no longer obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.



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## OPINION 137.

ON THE RELATIVE PRECEDENCE TO BE ACCORDED TO CERTAIN GENERIC NAMES PUBLISHED IN 1807 BY FABRICIUS AND HÜBNER RESPECTIVELY FOR IDENTICAL GENERA IN THE LEPIDOPTERA RHOPALOCERA.

SUMMARY.—Unless and until further evidence is forthcoming regarding the precise dates in 1807 on which were published (a) Fabricius's paper on generic names of Lepidoptera in the sixth volume of Illiger's *Magazin für Insektenkunde* and (b) certain plates of Hübner's *Sammlung exotischer Schmetterlinge*, the names proposed by Fabricius shall have precedence over those proposed by Hübner. In the event of evidence later being found to show that Hübner's plates were published before Fabricius's paper, three generic names (as shown in the body of the present Opinion) proposed by Hübner on the said plates are, under Suspension of the Rules, to be suppressed in favour of the names (also given in the body of the present Opinion) proposed by Fabricius for the same genera.

### I.—THE STATEMENT OF THE CASE.

This question was first brought forward by Commissioner Francis Hemming who, in 1935, submitted the following statement to the International Committee on Entomological Nomenclature at their Meeting held in Madrid during the Meeting of the Sixth International Congress of Entomology :—

" In the course of preparing volume 1 of my *Generic Names of the Holarctic Butterflies* I encountered a difficulty in dealing with certain generic names proposed for identical genera by Fabricius in the sixth volume of Illiger's *Magazin für Insektenkunde* and by Hübner on certain plates of his *Sammlung exotischer Schmetterlinge* issued in 1807. There are three pairs of generic names concerned, namely :—

" (a) *Morpho* Fabricius and *Potamis* Hübner.

" The type of *Morpho* Fabricius is *Papilio achilles* Linnaeus, 1758, that species having been so specified by Westwood in 1851 (in Doubleday, *Gen. diurn. Lep.* (2) : 341). The type of *Potamis* Hübner is *Potamis leonte* Hübner, [1807], which is a synonym of *Papilio achilles* Linnaeus (see Hemming, 1934, *Gen. Names hol. Butt.* 1 : 50). The genera *Morpho* Fabricius and *Potamis* Hübner are thus identical with one another, the type species being the same in each case.

" This case arises through the decision of the International Commission embodied in Opinion 97 that Hübner's *Tentamen* is invalid. If that work had been valid, the name *Potamis* would have ranked from the *Tentamen* and its type would have been *Papilio iris* Linnaeus, 1758, with the result that it would have replaced the very well-known name *Apatura* Fabricius, 1807.

" (b) *Helicopsis* Fabricius and *Rusticus* Hübner.

" The type of *Helicopsis* Fabricius is *Papilio cupido* Linnaeus, 1758, that species having been so specified by Scudder in 1875 (*Proc. amer. Acad. Arts Sci.*, Boston **10**: 186). The type of *Rusticus* Hübner is *Papilio gnidus* Fabricius, 1787 (see Hemming, 1934, *Gen. Names hol. Butt.* **1**: 98), a species which is congeneric with *Papilio cupido* Linnaeus, the type of *Helicopsis* Fabricius.

" This case arises through the decision of the International Commission, embodied in Opinion 97, that Hübner's *Tentamen* is invalid. If that work had been valid, the name *Rusticus* would have ranked from the *Tentamen* and its type would have been *Papilio argus* Linnaeus (i.e. a species of LYCAENIDAE and not a species of RIODINIDAE to which *Papilio gnidus* Fabricius belongs). The name *Rusticus* Hübner would in that event have been a synonym of *Plebejus* Kluk, 1802.

" (c) *Pontia* Fabricius and *Mancipium* Hübner.

" The type of *Pontia* Fabricius is *Papilio daphidice* Linnaeus, 1758, that species having been so specified by Curtis in 1824 (*Brit. Entom.* **1**, pl. 48). The type of *Mancipium* Hübner is *Papilio hellica* Linnaeus, 1767 (= *Papilio helice* Linnaeus, 1764) (see Hemming, 1934, *Gen. Names hol. Butt.* **1**: 130), a species which is congeneric with *Papilio daphidice* Linnaeus, the type of *Pontia* Fabricius.

" This case arises through the decision of the International Commission, embodied in Opinion 97, that Hübner's *Tentamen* is invalid. If that work had been valid, the name *Mancipium* would have ranked from the *Tentamen* and its type would have been *Papilio brassicae* Linnaeus. In that event *Mancipium* Hübner would therefore have been a synonym of *Pieris* Schrank, 1801.

" There is no evidence to show which of the sets of three names were the first to be published, whether the three names published by Hübner or the three names published by Fabricius. What is, however, self-evident is the need for an authoritative declaration as to which set of names is to be treated as having priority over the other.

" If preference were to be given to the three names proposed by Hübner, the name *Potamis* Hübner would replace the very well-known name *Morpho* Fabricius which provides the name for the Family MORPHIDAE; the name *Rusticus* Hübner (hitherto always employed for a genus of LYCAENIDAE) would be transferred to the RIODINIDAE and would replace the very well-known name *Helicopsis* Fabricius; and the name *Mancipium* Hübner would replace the very well-known name *Pontia* Fabricius, thus causing a very confusing transfer of names in the Family PIERIDAE. If, on the other hand, preference were to be given to the three names proposed by Fabricius, the very well-known generic names *Morpho* Fabricius, *Helicopsis* Fabricius, and *Pontia* Fabricius would all be retained in their accustomed sense, while the three Hübnerian names would all disappear as synonyms, a result which would prevent their being used in a sense quite different from that in which (owing to the *Tentamen*) they have hitherto been used by such authors as have employed them at all.

" To sum up, the Fabrician names are well known and in common use, while those proposed by Hübner are not now in use, and, when used in the past, have been employed in a different sense from that which, in view of

Opinion 97, would now be necessary. In these circumstances, the substitution of the three Hübnerian names for the three Fabrician names, if, under the strict application of the Rules, such a course could be shown to be called for by reason of the prior publication of the Hübnerian names, would clearly result in greater confusion than uniformity.

"In order to secure a binding ruling on this question, my colleague Mr. N. D. Riley and I, in accordance with our already announced intention (Hemming, 1934, *Gen. Names hol. Butt.* 1: 13), now ask the International Commission on Zoological Nomenclature to issue an Opinion declaring that the paper in the sixth volume of Illiger's *Magazin* in which the names proposed by Fabricius were published is to be given precedence over the plates of Hübner's *Sammlung exotischer Schmetterlinge* published in 1807. The effect of the adoption by the International Commission of an Opinion in the foregoing sense would afford full protection to the names *Morpho* Fabricius, *Helicopis* Fabricius, and *Pontia* Fabricius. A conditional suspension of the rules would be involved in order to provide against the contingency (which, though highly unlikely, is nevertheless conceivable) that evidence might some day be forthcoming to show that some or all of the particular plates of Hübner's *Sammlung exotischer Schmetterlinge* now under consideration were published before the appearance of the paper in volume 6 of Illiger's *Magazin* containing the new names proposed by Fabricius."

## II.—THE SUBSEQUENT HISTORY OF THE CASE.

2. The International Committee on Entomological Nomenclature at their Madrid Meeting endorsed the views which Commissioner Hemming had laid before them on the subject, and agreed to submit to the International Commission on Zoological Nomenclature a recommendation supporting the proposals set out in the statement prepared by Commissioner Hemming quoted in paragraph 1 above, and expressing the hope that the Commission at their next Meeting would agree to render an Opinion in the sense indicated above.

## III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

3. The International Commission on Zoological Nomenclature gave consideration to this question later in September, 1935, at their Meeting held in Lisbon during the Meeting of the Twelfth International Zoological Congress. At this Meeting the International Commission approved the proposal submitted and unanimously adopted the following Resolution which was incorporated in their Report to the International Zoological Congress as paragraph 19 thereof:—

"19. On the relative precedence to be accorded to certain generic names in the Lepidoptera published in 1807 by Fabricius and Hübner respectively.—Unless and until further evidence is forthcoming regarding the precise dates in 1807 on which were published (a) FABRICIUS's paper on generic names in



the sixth volume of ILLIGER's *Magazin für Insektenkunde* and (b) certain plates of HÜBNER's *Sammlung exotischer Schmetterlinge*, the names proposed by FABRICIUS shall have precedence over those proposed by HÜBNER. The Commission are further of the Opinion that, if evidence were found to show that HÜBNER's plates were published before FABRICIUS's paper, the strict application of the rules would clearly result in greater confusion than uniformity. Acting, therefore, in virtue of the Plenary Power conferred upon them at the Monaco Meeting of the International Zoological Congress, the International Commission hereby declare that in that event the generic names *Polamis* Hübner, *Rusticus* Hübner, and *Mancipium* Hübner are to be suppressed in favour of *Morpho* Fabricius, *Helicopsis* Fabricius, and *Pontia* Fabricius respectively."

4. The Report of the International Commission containing the foregoing paragraph was unanimously adopted at the Meeting of the Commission held on the morning of Wednesday, 18th September, 1935, and by the Section on Nomenclature at their Meeting held on the afternoon of the same day. The Report was accordingly submitted to the International Zoological Congress by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September, 1935, the last day of the Congress.

5. In view of the fact that the concluding portion of the Opinion quoted in paragraph 4 above requires, to be valid, the Suspension of the Rules, the intention of the Commission to render an Opinion in the said terms was duly advertised in 1936 in two or more of the zoological journals named in the Resolution adopted by the Ninth International Zoological Congress held at Monaco in March, 1913, by which the International Congress conferred upon the International Commission on Zoological Nomenclature Plenary Power to suspend the Rules as applied to any given case where in the opinion of the Commission the strict application of the Rules would clearly result in greater confusion than uniformity.

6. In the period which has elapsed since the announcement in the said zoological journals of the proposed Suspension of the Rules in the manner indicated, no communication of any kind has been addressed to the International Commission objecting to the issue of an Opinion giving priority to the names introduced by Fabricius over those introduced by Hübner, though one group of lepidopterists interested in Hübner's *Tentamen* submitted certain observations in regard to the application to be given to the Hübnerian names in question.

7. The Opinion as set out in the extract from the Commission's Report quoted in paragraph 3 above was concurred in by the

twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

Alternates :—do Amiral *vice* Cabrera; Oshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

8. The Opinion referred to above was dissented from by no Commissioner or Alternate.

9. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor represented thereat by Alternates did not vote on the above Opinion :—Bolivar y Peltain; Chapman; Fantham; Silvestri; and Stiles.

#### IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the Ninth International Zoological Congress at its Meeting held in Monaco in March, 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Zoological Congress, Plenary Power to suspend the Rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said Rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible Suspension of the Rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed Suspension of the Rules; and

WHEREAS the Suspension of the Rules is required in certain circumstances to give valid force to certain of the provisions of the present Opinion; and

WHEREAS not less than one year's notice of the possible Suspension of the Rules as applied to the present case has been given in two or more of the journals referred to in the said Resolution adopted by the Ninth International Zoological Congress at its Meeting held in Monaco in March, 1913; and

WHEREAS the vote in the Commission at their Lisbon Meeting was unanimously in favour of the issue of an Opinion in the terms of the present Opinion;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Zoological Congress, and direct that it be rendered and printed as Opinion One Hundred and Thirty-Seven (Opinion 137) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twelfth day of August, Nineteen Hundred and Thirty-Nine, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission  
on Zoological Nomenclature.*

FRANCIS HEMMING